

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

TERESA MAGUIRE,)
Plaintiff,)
V.)
BW GALLERIA, LLC d/b/a Galleria Oaks,)
Defendant.)
CIVIL ACTION NO. SA-21-CA-102-FB

ORDER OF DISMISSAL WITHOUT PREJUDICE AND JUDGMENT

Before the Court is the status of the above styled and numbered cause. On November 18, 2021, plaintiff was Ordered to “file, **on or before November 29, 2021**, a status report regarding her intention to move for default or otherwise explain how she intends to proceed in this case.” (Docket no. 9) (emphasis in original). Plaintiff was additionally “notified that the failure to timely and properly respond to this Order may result in the dismissal of this case.” *Id.* The November 29th deadline passed without a response from plaintiff. Because she failed to follow a Court order or otherwise show that she intends to proceed in this case, the Court is of the opinion that the above styled and numbered cause should be dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute or follow an Order of the Court.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Order of Administrative Closure (contained within docket no. 8) is WITHDRAWN and this case is REOPENED for the limited purpose of entering this Order of Dismissal Without Prejudice and Judgment.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the above styled and numbered cause is DISMISSED WITHOUT PREJUDICE pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute and/or comply with a Court order.

IT IS FINALLY ORDERED, ADJUDGED and DECREED that motions pending with the Court, if any, are Dismissed as Moot and this case is CLOSED.

It is so ORDERED.

SIGNED this 30th day of November, 2021.


FRED BIERY
UNITED STATES DISTRICT JUDGE